



January 24, 2003

HOUSE BILL No. 1534

DIGEST OF HB 1534 (Updated January 21, 2003 5:49 PM - DI 96)

Citations Affected: IC 36-5; noncode.

Synopsis: Town marshal and deputy marshal overtime pay. Provides that a town marshal or deputy marshal not covered by the federal Fair Labor Standards Act must be paid for overtime hours.

Effective: July 1, 2003.

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January 16, 2003, read first time and referred to Committee on Labor and Employment.
January 23, 2003, reported — Do Pass.

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HB 1534—LS 7712/DI 96+



January 24, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1534

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-5-7-7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 7. (a) This section applies to compensation set by a
4 town under:**

5 (1) **section 2 of this chapter for a town marshal; or**

6 (2) **section 6 of this chapter for a deputy marshal.**

7 (b) **This section does not apply to a town that is subject to the**
8 **minimum wage provisions of the federal Fair Labor Standards Act**
9 **of 1938, as amended (29 U.S.C. 201 et seq.).**

10 (c) **As used in this section, "regular rate" has the meaning set**
11 **forth in IC 22-2-2-4(k).**

12 (d) **IC 22-2-2-4(j) and IC 22-2-2-4(l) through IC 22-2-2-4(o) do**
13 **not apply to a town marshal or deputy marshal.**

14 (e) **After January 1, 2004, for employment exceeding forty (40)**
15 **hours in a work week, a town shall compensate a town marshal or**
16 **deputy marshal at a rate that is not less than one and one-half (1**
17 **1/2) times the regular rate at which the town marshal or deputy**

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1 **marshal is paid.**

2 SECTION 2. [EFFECTIVE JULY 1, 2003] **IC 36-5-7-7, as added**
3 **by this act, does not apply during the term of a written contract of**
4 **employment or bona fide collective bargaining agreement that is**
5 **entered into before July 1, 2003, and establishes the complete terms**
6 **of compensation for a town marshal or deputy marshal for any**
7 **period after December 31, 2003.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1534, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LIGGETT, Chair

Committee Vote: yeas 9, nays 5.

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